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C O N F I D E N T I A L SECTION 01 OF 02 TUNIS 001235

SIPDIS

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TAGS: [PHUM](#) [PREL](#) [KPAO](#) [KMPI](#) [TS](#)

SUBJECT: TUNISIA HUMAN RIGHTS DEVELOPMENTS: 05/25 - 06/08

REF: A. TUNIS 896

[1B](#). TUNIS 1201

[1C](#). WWW.TUNISNEWS.NET - MAY 25 AND JUNE 4

[1D](#). TUNIS 1148

Classified By: CDA David Ballard for Reasons 1.5 (b) and (d)

[11](#). SUMMARY: This cable summarizes significant human rights developments during the previous two week period.

Topics covered are:

-- Case of Mohamed Abbou
-- Arab Institute of Human Rights Funding Problems
-- Formation of "Committee for the Defense of Victims of Terrorism Law"
-- Amnesty International Official Refused Tunisian Visa
-- Petition against the Arab Human Rights Charter
-- Defamation of CNLT Leader Sihem Bensedrine

END SUMMARY.

Abbou Case

[12](#). (C) The appellate trial of lawyer/activist Mohamed Abbou, sentenced on April 28 to three and a half years in prison, will be held Friday, June 10. (See ref A for background). Abbou supporters are hoping for a similar outcome to that of fellow jailed lawyer/activist Faouzi Ben M'rad, who was released after an appellate trial on May 30. In the past two weeks, Abbou's wife has reached out to Embassy officers to request further involvement of the USG; we plan to observe the trial June 10 along with EU diplomats. In a recent discussion, Abbou told emboff that she thought her husband had "pronounced his death sentence" when he mentioned the Trabelsi family in his second internet article on the invitation of Sharon to WSIS. She said that "people from the presidential palace told me that it was (Ben Ali's wife) Leila who gave orders to arrest my husband." Abbou's wife detailed a late-May visit to her husband, jailed in El Kef. She said there was no evidence that her husband had been physically abused, and that because of the attention given to his case, he was sharing a cell with only three others--in a cell usually reserved for 30. In an ironic aside, she said that because of this special treatment, about 50 prisoners were crowded in another 30-man cell.

AIHR Goes Public on Funding Dispute

[13](#). (C) The Arab Institute of Human Rights held a press conference on June 7 to announce their recent financial difficulties due to an alleged GOT blockage of their international funding (ref B). Al Sabah newspaper reported that the government's only dispute with the organization was that a member of the Tunisian Human Rights League (LTDH) was illegally present on the steering committee of AIHR. AIHR director Baccouche told us that this "illegal member" of their advisory board is Khemais K'sila, former Secretary General of LTDH. K'sila was arrested in 1998 and sentenced to three years in prison on charges of defamation and inciting the public to violence, and was released after serving only a few months. After being charged (unjustly, according to colleagues) with sexual harassment in 2000, he moved to France. K'sila's designation by the GOT as illegal is likely a combination of his previous criminal charges, and a RCD-backed ruling that the 2000 LTDH elections were invalid since membership cards of LTDH members had not been renewed before the trials. Human rights observers alleged that the GOT was concerned that no RCD members had been elected to the LTDH steering committee during the 2000 elections, and interfered unjustly as a result. However, Baccouche said that K'sila has served on the advisory board of AIHR since 1997, and that the GOT is using his presence on the board only as an excuse to disrupt the Institute's work at a time when its profile is increasing.

[14](#). (C) We plan to raise this issue with MFA Director of Americas and Asia, Ambassador Atallah at the earliest opportunity.

"Committee for the Defense of Victims of Terrorism Law"

15. (U) On May 25, a group of lawyers/human rights activists announced the formation a "committee for the defense of victims of the law on terrorism," partially as a result of the case of 14 young men allegedly indicted on terrorism charges April 22, 2004. A release from the group states that 10 men were arrested and 4 charged in absentia. The committee is concerned about the "danger" of the 2003 anti-terrorism law, alleging it confers "absolute prerogatives" to the GOT. The committee alleged a lack of due process and fair trial in the case of these 14 indictees. On June 4, six human rights NGOs released a shared communique stating that police had barred a group of trial observers from international and national human rights organizations from attending the appellate trial held the same day in Tunis. The communique also alleges that some of the indictees were tortured, and gave confessions under duress. (Ref C). The appellate trial has reportedly been delayed until June 15.

16. (C) COMMENT: There has been considerable criticism of the 2003 Terrorism Law from human rights activists, who charge it is too broad and gives even more arbitrary power to GOT authorities. We expect this new Committee may also protest the subsequent arrest May 23 of four or more men in the northern Cap Bon region, reportedly for accessing terrorist-related Internet sites, a case similar to the well-known "Zarzis group" of young men arrested in 2003. The allegations of torture and forced confessions in this most recent case could well be true. While we track these cases closely in a human rights context, we note that information from a variety of non-Tunisian official sources indicates that there was good evidence supporting the arrests. END COMMENT.

Amnesty International Official Refused Visa

17. (SBU) During the week of May 20th, the GOT reportedly refused to issue a visa to Mazna Masri, a member of the Amnesty International regional office in Beirut. According to opposition paper al Maouqif, Masri was attempting to come to Tunis to participate in a human rights training session. The AI office in Beirut sent Mr. Ahmed Karaoud in Masri's place, as Karaoud was able to enter on his Tunisian passport.

Petition against the Arab Human Rights Charter

18. (U) Over 100 civil society members, professors, and lawyers have signed a petition to the GOT to withdraw from consideration the passage of the Arab Human Rights Charter, currently before the Chamber of Deputies. The signatories are concerned that the Charter is not sufficiently progressive on key human rights issues, and would in fact be a regressive step, notably as concerns the rights of women.

Defamation of CNLT Leader Sihem Bensedrine

19. (U) International and national human rights organizations and activists continued to rally behind National Council for Liberty in Tunisia (CNLT) leader and editor of banned on-line magazine Kalima, Sihem Bensedrine, who they allege has been the target of a GOT-sponsored smear campaign in the Tunisian press, after the release of a CNLT report titled "Misinformation in the Tunisian Media." Since early May, several pro-GOT Arab-language newspapers, including Ash Shourouq, Al-Hadath and As-sarih, have run articles criticizing Bensedrine for, among other charges, "media and political prostitution" and being "a person struck by hysteria and delirium." Another article claimed that Bensedrine was on "a suspicious mission to Iraq" under Paul Bremer. In an on-line article on "Index on Censorship", associate editor Rohan Jayaskeera countered, "the opposite is true. Bensedrine's program dealt with censorship and the threats to Iraqi media rights posed by the U.S. occupation's media control strategy. Sihem is a friend to media freedom, not to Paul Bremer."

110. (C) COMMENT: Detractors of the human rights community, including the GOT, often use defamation of character to undermine NGO activity; most open critics of the government are labeled traitors in the first instance. Although we believe the campaign against Bensedrine is unfounded, it is certainly true that Bensedrine's own writings are often filled with hyperbole and questionable accusations. END COMMENT.

BALLARD